

**BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation)
Against:)
)
)
FARIBORZ KHORSAND-RAVAN, M.D.))
)
Physician's and Surgeon's)
Certificate No. C50192)
)
Respondent)
_____)

Case No. 800-2016-026806

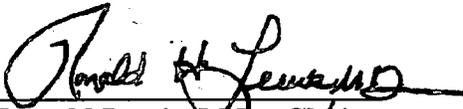
DECISION

The attached Stipulated Settlement and Disciplinary Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on February 2, 2018.

IT IS SO ORDERED January 5, 2018.

MEDICAL BOARD OF CALIFORNIA

By: 
Ronald Lewis, M.D., Chair
Panel A

1 XAVIER BECERRA
Attorney General of California
2 JANE ZACK SIMON
Supervising Deputy Attorney General
3 ALICE W. WONG
Deputy Attorney General
4 State Bar No. 160141
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (415) 703-5597
6 Facsimile: (415) 703-5480
Attorneys for Complainant

7
8 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
9 **STATE OF CALIFORNIA**

10
11 In the Matter of the Accusation Against:
12 **FARIBORZ KHORSAND-RAVAN, M.D.**
1950 Gough Street, #307
13 San Francisco, CA 94109
14 **Physician's and Surgeon's Certificate No. C 50192**
15 **Respondent.**

Case No. 800-2016-026806

OAH No. 2017100416

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

16
17 **IT IS HEREBY STIPULATED AND AGREED** by and between the parties to the above-
18 entitled proceedings that the following matters are true:

19 1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board
20 of California (Board). She brought this action solely in her official capacity and is represented in
21 this matter by Xavier Becerra, Attorney General of the State of California, by Alice W. Wong,
22 Deputy Attorney General.

23 2. Respondent Fariborz Khorsand-Ravan, M.D. (Respondent) is represented in this
24 proceeding by attorney Morgan Muir Callahan, Esq., whose address is: 50 California Street, 34th
25 Floor, San Francisco, CA 94111-4707.

26 3. On or about January 14, 1999, the Board issued Physician's and Surgeon's Certificate
27 No. C 50192 to Fariborz Khorsand-Ravan, M.D. (Respondent). The Physician's and Surgeon's
28

1 Certificate was in full force and effect at all times relevant to the charges brought in Accusation
2 No. 800-2016-026806, and will expire on April 30, 2018, unless renewed.

3 **JURISDICTION**

4 4. On June 8, 2017, Complainant Kimberly Kirchmeyer, in her official capacity as the
5 Executive Direction of the Board, filed Accusation No. 800-2016-026806 (Accusation) against
6 Respondent. The Accusation and all other statutorily required documents were properly served
7 on Respondent and he timely filed his Notice of Defense.

8 5. A copy of Accusation No. 800-2016-026806 is attached as exhibit A and incorporated
9 herein by reference.

10 **ADVISEMENT AND WAIVERS**

11 6. Respondent has carefully read, fully discussed with counsel, and understands the
12 charges and allegations in Accusation No. 800-2016-026806. Respondent has also carefully read,
13 fully discussed with counsel, and understands the effects of this Stipulated Settlement and
14 Disciplinary Order.

15 7. Respondent is fully aware of his legal rights in this matter, including the right to a
16 hearing on the charges and allegations in the Accusation; the right to confront and cross-examine
17 the witnesses against him; the right to present evidence and to testify on his own behalf; the right
18 to the issuance of subpoenas to compel the attendance of witnesses and the production of
19 documents; the right to reconsideration and court review of an adverse decision; and all other
20 rights accorded by the California Administrative Procedure Act and other applicable laws.

21 8. Respondent having the benefit of counsel hereby voluntarily, knowingly, freely and
22 intelligently waives and gives up each and every right set forth above.

23 **CULPABILITY**

24 9. Respondent agrees that, at an administrative hearing, Complainant could establish a
25 *prima facie* case with respect to the charges and allegations contained in Accusation No. 800-
26 2016-026806 and that he has thereby subjected his Physician's and Surgeon's Certificate to
27 disciplinary action. Respondent further agrees to be bound by the Board's imposition of
28 discipline as set forth in the Disciplinary Order below.

1 **CONTINGENCY**

2 10. This stipulation shall be subject to approval by the Medical Board of California.
3 Respondent understands and agrees that counsel for Complainant and the staff of the Medical
4 Board of California may communicate directly with the Board regarding this stipulation and
5 settlement, without notice to or participation by Respondent or his counsel. By signing the
6 stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek
7 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails
8 to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary
9 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal
10 action between the parties, and the Board shall not be disqualified from further action by having
11 considered this matter.

12 11. The parties understand and agree that Portable Document Format (PDF) and facsimile
13 copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile
14 signatures thereto, shall have the same force and effect as the originals.

15 12. In consideration of the foregoing admissions and stipulations, the parties agree that
16 the Board may, without further notice or formal proceeding, issue and enter the following
17 Disciplinary Order:

18 **DISCIPLINARY ORDER**

19
20 **A. PUBLIC REPRIMAND**

21 **IT IS HEREBY ORDERED** that Physician's and Surgeon's Certificate No. C 50192
22 issued to Respondent Fariborz Khorsand-Ravan, M.D. is hereby publicly reprimanded pursuant to
23 California Business and Professions Code § 2227(a)(4). This Public Reprimand, which is issued
24 in connection with Respondent's actions as set forth in Accusation No. 800-2016-026806, is as
25 follows:

26 For a period of time in 2010, you prescribed a controlled substance to a family member on
27 multiple occasions in a manner not consistent with legally applicable requirements.
28

1
2 **B. PRESCRIBING COURSE**

3 Within 60 calendar days of the effective date of this Decision, Respondent shall enroll
4 in a prescribing course approved in advance by the Board or its designee. Respondent shall
5 provide the approved course provider with any information and documents that the approved
6 course provider may deem pertinent. Respondent shall participate in and successfully
7 complete the classroom component of the course not later than six (6) months after
8 Respondent's initial enrollment. The prescribing course shall be at Respondent's expense and
9 shall be in addition to the Continuing Medical Education (CME) requirements for renewal of
10 licensure.
11

12 A prescribing course taken after the acts that gave rise to the charges in the Accusation, but
13 prior to the effective date of the Decision may, in the sole discretion of the Board or its designee,
14 be accepted towards the fulfillment of this condition if the course would have been approved by
15 the Board or its designee had the course been taken after the effective date of this Decision.
16

17 Respondent shall submit a certification of successful completion to the Board or its
18 designee not later than 15 calendar days after successfully completing the course, or not later than
19 15 calendar days after the effective date of the Decision, whichever is later.

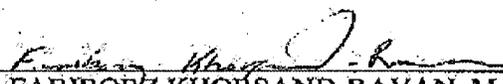
20 Respondent understands that failure to submit and/or complete the prescribing course, as
21 set forth above, would constitute unprofessional conduct and grounds for further disciplinary
22 action. If Respondent fails to enroll, participate in, or successfully complete the prescribing
23 course within the designated time period, Respondent shall receive a notification from the Board
24 or its designee to cease the practice of medicine within three (3) calendar days after being so
25 notified.
26
27
28

1 In consideration for his agreement to complete the prescribing course, as set forth above,
2 Respondent shall be publicly reprimanded as set forth in the public letter of reprimand, as set
3 forth above in Paragraph 12(A).

4 **ACCEPTANCE**

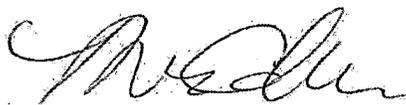
5 I, FARIBORZ KHORSAND-RAVAN, M.D., have carefully read this Stipulated Settlement
6 and Disciplinary Order and, having the benefit of counsel, enter into it freely, voluntarily,
7 intelligently and with full knowledge of its force and effect on my Physician's and Surgeon's
8 Certificate No. C 50192. I fully understand that, after signing this stipulation, I may not withdraw
9 from it, that it shall be submitted to the Medical Board of California for its consideration, and that
10 the Board shall have a reasonable period of time to consider and act on this stipulation after
11 receiving it. By entering into this stipulation, I fully understand that, upon formal acceptance by
12 the Board, I shall be publically reprimanded by the Board and shall be required to comply with
13 the terms and conditions of the Disciplinary Order set forth above. I, also, fully understand that
14 any failure to comply with the terms and conditions of the Disciplinary Order set forth above
15 shall constitute unprofessional conduct and that my Physician's and Surgeon's Certificate No.
16 C 50192 will be subject to further disciplinary action.

17
18
19 DATED: 11/10/17


FARIBORZ KHORSAND-RAVAN, M.D.
Respondent

20
21 I have read and fully discussed with Respondent Fariborz Khorsand-Ravan, M.D. the terms
22 and conditions and other matters contained in the above Stipulated Settlement and Disciplinary
23 Order. I approve its form and content.

24
25 DATED: November 7, 2017


MORGAN MUIR CALLAHAN, ESQ.
Attorney for Respondent

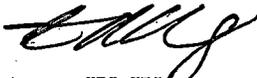
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ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Medical Board of California.

Dated: 11/7/2017

Respectfully submitted,
XAVIER BECERRA
Attorney General of California
JANE ZACK SIMON
Supervising Deputy Attorney General


ALICE W. WONG
Deputy Attorney General
Attorneys for Complainant

SF2017401416

Exhibit A

Accusation No. 800-2016-026806

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XAVIER BECERRA
Attorney General of California
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Attorneys for Complainant

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO June 8, 2017
BY Jana Pasion ANALYST

**BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Fariborz Khorsand-Ravan, M.D.
4301 Military Road NW #415
Washington, RI 20015-2137

Physician's and Surgeon's Certificate
No. C50192,

Respondent.

Case No. 800-2016-026806
ACCUSATION

Complainant alleges:

PARTIES

1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official capacity as the Executive Director of the Medical Board of California, Department of Consumer Affairs (Board).
2. On or about January 14, 1999, the Medical Board issued Physician's and Surgeon's Certificate Number C50192 to Fariborz Khorsand-Ravan, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought herein and will expire on April 30, 2018, unless renewed.

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JURISDICTION

1
2 3. This Accusation is brought before the Board, under the authority of the following
3 laws. All section references are to the Business and Professions Code unless otherwise indicated.

4 4. Section 2227 of the Code provides that a licensee who is found guilty under the
5 Medical Practice Act may have his or her license revoked, suspended for a period not to exceed
6 one year, placed on probation and required to pay the costs of probation monitoring, or such other
7 action taken in relation to discipline as the Board deems proper.

8 5. Section 2305 of the Code states:

9 "The revocation, suspension, or other discipline, restriction or limitation imposed by
10 another state upon a license or certificate to practice medicine issued by that state, or the
11 revocation, suspension, or restriction of the authority to practice medicine by any agency of the
12 federal government, that would have been grounds for discipline in California of a licensee under
13 this chapter shall constitute grounds for disciplinary action for unprofessional conduct against the
14 licensee in this state."

15 6. Section 141 of the Code states:

16 "(a) For any licensee holding a license issued by a board under the jurisdiction of the
17 department, a disciplinary action taken by another state, by any agency of the federal government,
18 or by another country for any act substantially related to the practice regulated by the California
19 license, may be a ground for disciplinary action by the respective state licensing board. A
20 certified copy of the record of the disciplinary action taken against the licensee by another state,
21 an agency of the federal government, or another country shall be conclusive evidence of the
22 events related therein.

23 "(b) Nothing in this section shall preclude a board from applying a specific statutory
24 provision in the licensing act administered by that board that provides for discipline based upon a
25 disciplinary action taken against the licensee by another state, an agency of the federal
26 government, or another country."

1 **CAUSE FOR DISCIPLINE**

2 **(Discipline, Restriction, or Limitation Imposed by Another State)**

3 7. On August 10, 2016, the Rhode Island Board of Medical Licensure and Discipline
4 issued a Consent Order wherein Respondent agreed to the reprimand of his medical license, pay
5 an administrative fee of \$650; and completion of at least eight (8) hours of medical record
6 keeping course. The Consent Order was based on findings that Respondent prescribed controlled
7 substances to a family member, on multiple occasions, without maintaining adequate medical
8 records.

9 A copy of the Consent Order is attached as Exhibit A.

10 8. Respondent's conduct and the action of the Rhode Island Board of Medical Licensure
11 and Discipline as set forth in paragraph 7, above, constitutes cause for discipline pursuant to
12 sections 2305 and/or 141 of the Code.

13 **PRAYER**

14 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
15 and that following the hearing, the Medical Board of California issue a decision:

- 16 1. Revoking or suspending Physician's and Surgeon's Certificate Number C50192,
17 issued to Fariborz Khorsand-Ravan, M.D.;
- 18 2. Revoking, suspending or denying approval of Fariborz Khorsand-Ravan, M.D.'s
19 authority to supervise physician assistants and advanced practice nurses;
- 20 3. Ordering Fariborz Khorsand-Ravan, M.D., if placed on probation, to pay the Board
21 the costs of probation monitoring; and
- 22 4. Taking such other and further action as deemed necessary and proper.

23
24 DATED: June 8, 2017


KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

Exhibit A

Accusation No. 800-2016-026806

Rhode Island Board of Medical Licensure & Discipline Dr. Fariborz
Khorsand-Ravan C14-0487

STATE OF RHODE ISLAND & PROVIDENCE PLANTATIONS
DEPARTMENT OF HEALTH

BOARD OF MEDICAL LICENSURE & DISCIPLINE

IN THE MATTER OF:
Fairborz Khorsand-Ravan, M.D.
License Number MD 09948
Complaint Numbers C14-0487

CONSENT ORDER

Fariborz Khorsand-Ravan, M.D. (hereinafter "Respondent") is licensed as a physician in Rhode Island. The Board of Medical Licensure and Discipline (hereinafter the "Board") makes the following:

FINDINGS OF FACT

1. Respondent is a physician who has been licensed in Rhode Island since October 14th, 1998. He is a graduate of University of Tehran Pahlavi Medical School on June 1, 1970. Respondent's specialty is Obstetrics & Gynecology.
2. Respondent engaged in the practice of medicine with a family member prescribing controlled substances on multiple occasions. Respondent did not maintain adequate medical records for family member.
3. Respondent has violated Rhode Island General Laws §5-37-5.1(19) for failure to meet the minimum standard of care regarding elements and quality of the medical record, as well as prescribing a controlled substance to a family member.

Rhode Island Board of Medical Licensure & Discipline C14-0487

~~Based on the foregoing, the parties agree as follows:~~

1. Respondent admits to the jurisdiction of the Board.
2. Respondent has agreed to this Consent Order and understands that it is subject to final approval of the Board, and this Consent Order is not binding on Respondent until final ratification by the Board.
3. If ratified by the Board, Respondent hereby acknowledges and waives:
 - a. The right to appear personally or by counsel or both before the Board;
 - b. The right to produce witnesses and evidence on his behalf at a hearing;
 - c. The right to cross examine witnesses;
 - d. The right to have subpoenas issued by the Board;
 - e. The right to further procedural steps except for those specifically contained herein;
 - f. Any and all rights of appeal of this Consent Order; and
 - g. Any objection to the fact that this Consent Order will be presented to the Board for consideration and review.
 - h. Any objection that this Consent Order will be reported to the National Practitioner Data Bank, Federation of State Medical Boards as well as posted on the department's public web site.
4. Respondent agrees to pay within (60) days of the ratification of this Consent Order an administrative fee to the Board with a check for \$650 dollars made

Rhode Island Board of Medical Licensure & Discipline C14-0487

~~payable to the Rhode Island General Treasurer for costs associated with~~
investigating the above-referenced complaint.

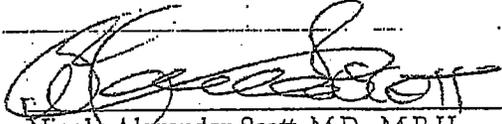
5. Respondent hereby agrees to this reprimand on his physician license.
6. Respondent agrees to take within six (6) months of the ratification of this order a Board approved CME of at least 8 hours duration in medical record keeping.
7. In the event that any term of this Consent Order is violated, after it is signed and accepted, the Director of the Department of Health shall have the discretion to summarily suspend the Respondent's license and/or impose further disciplinary action. If the Director suspends the license and/or imposes further disciplinary action, Respondent shall be given notice and shall have the right to request an administrative hearing within twenty (20) days of the suspension and/or further discipline. The Director of the Department of Health shall also have the discretion to request an administrative hearing after notice to Respondent of a violation of any term of this Consent Order. The Administrative Hearing Officer may suspend Respondent's license, or impose further discipline, for the remainder of Respondent's licensing period if the alleged violation is proven by a preponderance of evidence.

Signed this 16 day of July, 2016.

Fariborz Khorsand-Ravan
Fariborz Khorsand-Ravan, M.D.

Ratified by the Board of Medical Licensure and Discipline on the 10th day of August, 2016.

Rhode Island Board of Medical Licensure & Discipline C14-0487



Nicole Alexander-Scott, M.D., M.P.H.
Director
Rhode Island Department of Health